

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

G. MICHAEL STRAUSS,

Plaintiff,

v.

DONNA HAMILTON *et al.*,

Defendants.

Case No. C05-5772FDB

ORDER

This Civil Rights action has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. § 636(b)(1)(B). Plaintiff is not proceeding *in forma pauperis* and he has paid the full filing fee. (Dkt. # 5).

When plaintiff filed his application to proceed *in forma pauperis* he requested the United States Marshals Service be ordered to serve his complaint. (Dkt. # 1). In February when plaintiff responded to an order to show regarding his application for *in forma pauperis* status he again included a request that the court order service be done for him. (Dkt. # 4). In March plaintiff sent the court a letter asking for a ruling on his requests. (Dkt. # 8). In the future plaintiff will limit his documents to one issue. A motion for court action should be clearly titled as a motion.

The court routinely serves complaints for persons proceeding *in forma pauperis* and as plaintiff notes the statute allows for orders of this nature. Plaintiff is not proceeding *in forma*

1 *pauperis*. He argues his current restraint creates a hardship on his ability to perfect service. The
2 hardship plaintiff complains of is one shared by all incarcerated or detained persons, but the statute
3 allowing the court to order service does not include this category as requiring service be performed
4 by the government. Plaintiff's motion is **DENIED**.

5 In his letter to the court plaintiff also requests return of his copies of the complaint and he
6 request summons be issued so he can perfect service. **The clerks office is directed to return any**
7 **copies of the complaint in the court's possession and issue summons to the plaintiff for each**
8 **named defendant**. Plaintiff would have less then one month to perfect service and the court on its
9 own motion extends the deadline for perfection of service until **May 5th, 2006**.

10 As a final matter plaintiff complains that his case has been classified as a "550 prisoner Civil
11 Rights Action." (Dkt. # 8). The court is aware that plaintiff is not a prisoner, however this
12 recording category is used for a number of different suits, not all of which involve prisoners.
13 Plaintiff's demand that the action be re-designated is **DENIED**

14 The clerk is directed to send copies of this Order to plaintiff.

15 DATED this 23rd day of March, 2006.
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21 Karen L. Strombom
22 United States Magistrate Judge
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